



ROUTINE

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DIST 15 MARCH 1974

1.5(c)

1. TRIALS OF IMPORTANT CHILEAN POLITICAL PRISONERS WILL BEGIN IN EARLY APRIL, WITH THE ACCUSATION BEING SUBVERSION OF THE ARMED FORCES AND CARABINEROS (UNIFORMED NATIONAL POLICE). OVER 100 PERSONS WILL BE BROUGHT TO TRIAL AT THAT TIME. THE FOUR SERVICES WILL HOLD SEPARATE WARTIME MILITARY TRIBUNALS ("CONSEJOS DE GUERRA"), AND IF AN ACCUSED IS CHARGED WITH TRYING TO SUBVERT MORE THAN ONE SERVICE, THE SERVICES INVOLVED WILL JOIN TOGETHER FOR THE TRIAL. THE ARMY TRIALS ARE SET TO BEGIN ON 1 APRIL AND THE AIR FORCE ON 3 APRIL.

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THE OTHER TWO SERVICES ARE **EXPECTED** TO ANNOUNCE THEIR DATES
IN LATE **MARCH** OR EARLY APRIL!

2. AMONG THOSE TO BE TRIED WILL BE **FORMER** SOCIALIST PARTY (PS)
SENATOR ERIC S **SCHANKE**, PS LEADER **CARLOS LAZO**, AND
FORMER MINISTER OF DEFENSE JOSE **TOHA**. A NUMBER OF RETIRED
COMMISSIONED AND **NON-COMMISSIONED** OFFICERS OF THE SERVICES
WILL ALSO BE TRIED AT THIS TIME. THE GOVERNMENT PLANS TO
REQUEST A **30-YEAR** SENTENCE FOR **SCHANKE** AND **60 YEARS** FOR
LAZO, WHO IS ACCUSED OF DIRECTING THE SUBVERSION OF THE **ARMED**
FORCES, A **50-YEAR** SENTENCE WILL BE REQUESTED FOR **TOHA**, BUT
HE IS NOT EXPECTED TO ATTEND THE TRIAL BECAUSE HE IS SUFFERING
FROM **TERMINAL** CANCER OF THE **STOMACH**. **COMMENT:** THE
PRESS OF 10 FEBRUARY REPORTED THAT **TOHA** HAD BEEN BROUGHT
TO **SANTIAGO** FROM **DAWSON** ISLAND FOR HOSPITAL TREATMENT.

3. COURT **HEARINGS** AGAINST PERSONS CHARGED **WITH** TREASON AND OTHER
CRIMES WILL BEGIN ON OR ABOUT 1 JUNE. THE DELAY IN THE INITIATION
OF THESE HEARINGS IS DUE TO SEVERAL FACTORS, FIRST, THE JUNTA
BELIEVES THAT THE LACK OF PREPARATION FOR THE **TRIALS** BY THE
MINISTRY OF JUSTICE IS RELATED TO THE FACT THAT MANY **MINISTRY**
OFFICIALS HOLD SENTIMENTS SYMPATHETIC TO THE FORMER POPULAR

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UNITY (UP) GOVERNMENT. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1.5 (c)

[REDACTED]

[REDACTED]

[REDACTED]

4. ANOTHER DELAYING FACTOR IS THE FACT THAT THE JUNTA HAS
BEEN UNABLE TO GET SOMEONE TO ACCEPT THE JOB OF ATTORNEY GENERAL.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1.5 (c)

[REDACTED]

[REDACTED]

[REDACTED]

5. THERE IS ALSO DISAGREEMENT IN THE GOVERNMENT AS TO THE

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KIND OF TRIAL SHOULD BE CONDUCTED (CIVIL, WARTIME MILITARY TRIBUNALS, OR AD HOC TRIALS MADE UP OF BOTH CIVILIAN AND MILITARY JUDGES). THE PROBLEM ARISES FROM THE TYPE OF CHARGES AGAINST THE PRISONERS, A MIXTURE OF CIVIL (COMMON CRIMES) AND SEMI-MILITARY OFFENSES, FOR EXAMPLE, A MINISTER WHO MISUSED A MINISTRY'S FUNDS TO ORGANIZE A GUERRILLA TRAINING CAMP, WOULD BE CHARGED WITH MISUSE OF PUBLIC FUNDS, VIOLATION OF A MINISTER'S OATH AND CREATING A PARALLEL MILITARY ORGANIZATION THREATENING THE STATE. ANOTHER EXAMPLE WOULD BE THE PASSING TO THE SOVIETS OF CLASSIFIED INDUSTRIAL INFORMATION OBTAINED BY MEMBERS OF THE U.P. FROM AMERICAN COMPANIES. THUS, THE QUESTION OF WHETHER THESE ARE MILITARY OR CIVIL CHARGES AND WHICH TYPE OF COURT SHOULD HEAR THEM IS THE SUBJECT OF CONSIDERABLE DEBATE IN THE GOVERNMENT;

6. [REDACTED]

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